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February 23, 2023

DELIVERED VIA ECF

Honorable Paul G. Gardephe
Thurgood Marshall United States Courthouse
40 Foley Square, Courtroom 705
New York, NY 10007

Case Title: *Klauber Brothers, Inc. v. Walmart, Inc. et al.*
1:22-cv-08087-PGG
Re: **Request to Adjourn Conference**

Your Honor:

As you know, this office represents Plaintiff Klauber Brothers, Inc. ("Klauber"), in the above-referenced action. We write to respectfully request an adjournment of the initial pretrial conference, currently scheduled for March 2, 2023 at 10:00 a.m. On February 1, Klauber filed a First Amended Complaint to name as defendants sellers of the disputed product who were recently identified by Walmart. (Dkt. #20.) Counsel for Klauber is in touch with Defendants Ever Best Sales LLC and Music Legs, Inc. and the parties are exploring early resolution. Additionally, Defendants Jingdong E-Commerce (Trade) Hong Kong Corporation Limited, Super High-Definition Electronics Inc., and Clothing Ave, Inc.¹ are in the process of being served. To allow time for settlement discussions and service with the respective Defendants, Klauber respectfully requests an adjournment of 30 days, from March 2 to April 3, or a date thereafter convenient to the Court.

This is the first request to adjourn the initial pretrial conference with the newly named defendants. Two previous requests to adjourn the initial pretrial conference with Walmart were granted to allow time for settlement discussions with Walmart. (Dkts. #17, #19.)

We thank Your Honor for your consideration of this request.

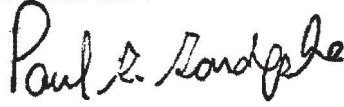
Respectfully submitted,

By: /s/ Laura M. Zaharia
Scott Alan Burroughs
Laura M. Zaharia
DONIGER / BURROUGHS
For the Plaintiff

¹ Klauber's process server attempted service on Defendant Clothing Ave, Inc. at its business address, but it appears that they have moved.

MEMO ENDORSED: The application is granted. The conference currently scheduled for March 2, 2023 is adjourned to **April 6, 2023 at 10:30 a.m.**

SO ORDERED.

A handwritten signature in black ink, reading "Paul G. Gardephe". The signature is written in a cursive style with a large initial "P".

Paul G. Gardephe
United States District Judge

Dated: February 24, 2023